

Adulteration of the article was alleged in the libel for the reason that saccharin had been mixed and packed therewith, so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article. Adulteration was alleged for the further reason that the article contained an added poisonous or deleterious ingredient, saccharin, which might render the article injurious to health, and for the further reason that said article was colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the package or label of the article bore statements, designs, or devices regarding the article or the ingredients and substances contained therein, to wit, "Non-alcoholic Artificial Flavor and Color Blackberry Cordial" (or "Cherry Cordial") "Flavor sweetened with saccharine * * * guarantee * * *," which were false and misleading, and deceived and misled the purchaser. Misbranding was alleged for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On January 5, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8930. Adulteration of sage. U. S. * * * v. 2 Casks and 1 Case of Sage. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9694. I. S. No. 7002-r. S. No. C-1061.)

On February 11, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 casks, one containing 200 pounds and the other containing 201 pounds, and one case containing 255 pounds, of alleged sage, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about January 15, 1919, by J. K. Laudenslager, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The product was labeled, "Domestic Sage with Stems. Edward Westen Tea & Spice Co. St. Louis, Mo.," and was originally shipped by the Edward Westen Tea & Spice Co. to J. K. Laudenslager, who returned it to the manufacturer.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in large part of a filthy, decomposed, and putrid vegetable substance. It was further alleged in substance that the article consisted in whole or in large part of sage stems and clay.

On January 5, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8931. Adulteration of Chili peppers. U. S. * * * v. 83 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9833. I. S. No. 6697-r. S. No. C-1095.)

On March 5, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 83 sacks of Chili peppers, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by J. A. Knapp, Garden Grove, Calif., on or about January 24, 1919,

and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 16, 1919, the C. F. Blanke Tea & Coffee Co., St. Louis, Mo., claimant, having admitted the allegations of the libel and consented to a decree, it was found by the court that the product was adulterated as alleged in the libel, and the said claimant having filed a good and sufficient bond, in conformity with section 10 of the act, it was ordered by the court that the product might be delivered to said claimant upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

8932. Adulteration of tomato purée. U. S. * * * v. 1,400 Cases of Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10585. I. S. No. 8830-r. S. No. C-1280.)

On June 12, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,400 cases of tomato purée, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Morgantown Packing Co., Portland, Ind., on or about November 25, 1918, and transported from the State of Indiana into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "True Value Brand Tomato Purée Packed by The Morgantown Packing Co. Morgantown, Ind."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On January 4, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8933. Adulteration and misbranding of oil of birch. U. S. * * * v. 3 Cans * * * of a Product Purporting to be Oil of Birch. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 11861. I. S. No. 13997-r. S. No. E-1917.)

On December 29, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cans of a product purporting to be oil of birch, labeled in part, "From Z. B. Buchanan (incorporated)," remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on December 16, 1919, by Z. B. Buchanan, Hickory, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained synthetic methyl salicylate.

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity